

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

TERESA WATTS,

Plaintiff,

:

Case No. 1:03-CV-589

-vs-

:

Magistrate Judge Michael R. Merz

UNITED PARCEL SERVICES, INC.,

Defendant.

DECISION AND ORDER DENYING MOTION FOR RECONSIDERATION

This case is before the Court on Plaintiff's Motion for Reconsideration and a New Trial (Doc. No. 232) which Defendant opposes (Doc. No. 233).

Motions to alter the judgment or for a new trial under Fed. R. Civ. P. 59(e) must establish either a manifest error of law or must present newly discovered evidence. *Sault Ste. Marie Tribe of Chippewa Indians v. Engler*, 146 F.3d 367, 374 (6th Cir. 1998)(citation omitted). "As a general principle, motions for reconsideration are looked upon with disfavor unless the moving party demonstrates: (1) a manifest error of law; (2) newly discovered evidence which was not available previously to the parties; or (3) intervening authority." *Meekison v. Ohio Dept. Rehab. & Corr.*, 181 F.R.D. 571 (S.D. Ohio 1998)(Marbley, J.), quoting *Harsco Corp. v. Zlotnicki*, 779 F.2d 906, 909 (3d Cir. 1985).

Having considered the authorities presented by the parties, the Court is not persuaded it committed a manifest error of law. Therefore Plaintiff's Motion for Reconsideration and a New Trial is denied.

April 20, 2011.

s/ **Michael R. Merz**
United States Magistrate Judge